

APPENDIX B

Cooperating Agency Correspondence

This page intentionally left blank.

April 7, 2003

Jon Dahlberg, Area Manager
Montana Department of Natural Resources and Conservation
Northwestern Land Office
2250 Highway 93 North
Kalispell, MT 59901

Subject: NH-F 5-1(9)6F
US 93 Supplemental Environmental Impact Statement –
Ninepipe/Ronan Segment
Cooperating Agency Request

Dear Mr. Dahlberg:

This letter requests the Montana Department of Natural Resources and Conservation (DNRC) to be a Cooperating Agency on the above-referenced road improvement project in accordance with the U.S. Department of Transportation Federal Highway Administration's (FHWA's) regulations (23 CFR 771.111(d)). Even though your agency may already be involved with this project as an Advisory Committee or Interdisciplinary Team Member, your response in writing to this request is appreciated.

Skillings-Connolly, Inc., project consultant, is managing the project for the Montana Department of Transportation. The Montana Department of Transportation (MDT) has proposed to improve US 93 for a distance of 56.3 miles from Evaro to Polson at MT-35. The Federal Highway Administration (FHWA), MDT, and the Confederated Salish and Kootenai Tribes (CSKT) prepared a Final Environmental Impact Statement (FEIS) and Section 4(f) Evaluation on June 17, 1996 to describe the proposed project, alternatives, and the social, economic, and environmental impacts. A Record of Decision (ROD) was prepared on August 12, 1996, and modified on February 9, 1998, which selected the existing alignment for improvements. However, this ROD was unique in that FHWA deferred making a decision on lane configurations until agreement was reached on a number of issues including design features and mitigation measures.

The parties have since negotiated a Memorandum of Agreement (MOA) dated December 20, 2000. The MOA lays out a conceptual lane configuration, design features and mitigation measures for 30.8 miles of US-93 from Evaro to Red Horn Road / Dublin Gulch Road intersection near St. Ignatius and for 10.6 miles of US-93 from Spring Creek Road / Baptiste Road intersection near Ronan to the US-93 / MT-35 intersection near Polson.

However, due to extensive environmental and cultural issues, the segment from the vicinity of Red Horn Road on the south to Spring Creek Road on the north was excepted out of the MOA. This segment, referred to as the Ninepipe/Ronan Segment, requires additional environmental studies. The parties agreed to prepare a Supplemental Environmental Impact Statement (SEIS) to explore alternative roadway alignments and to evaluate impacts resulting from new circumstances and additional information relevant to environmental and cultural concerns for this 11.2-mile section of US-93.

A written response to this Cooperating Agency request is needed for the environmental documentation for this project. Statements on these matters may result, if necessary, in further inter-agency coordination to avoid or minimize potential project impacts. As a Cooperating Agency, DNRC will receive periodic updates on the progress of the study, as well as requests for your participation in additional coordination meetings. MDT will also provide a copy of the draft environmental document to you for your review.

Please contact me at Skillings-Connolly, Inc. at (406) 541-7877 if you have any questions about this request. If no reply is received within forty-five (45) calendar days – or by May 1, 2003 – it will be assumed that the DNRC has no concerns about the proposed project and does not wish to be a Cooperating Agency. Thank you for your assistance.

Sincerely,

SKILLINGS-CONNOLLY, INC.

Gerald Smith, PE
Project Manager for US 93 SEIS

Enclosure

cc: Loran Frazer, District Administrator – MDT District (No. 1)
Fred Bente, MDT
Jean Riley, MDT Environmental Services Supervisor
Craig Genzlinger, FHWA Operations Engineer - Native American Indian Coordinator
Joe Hovenkotter, CSKT



April 7, 2003

Mr. John Grant
Montana Fish, Wildlife & Parks
5791 Ninepipe Road
Charlo, MT 59824

Subject: NH-F 5-1(9)6F
US 93 Supplemental Environmental Impact Statement –
Ninepipe/Ronan Segment
Cooperating Agency Request

Dear Mr. Grant:

This letter requests the Montana Fish, Wildlife & Parks (MFWP) to be a Cooperating Agency on the above-referenced road improvement project in accordance with the U.S. Department of Transportation Federal Highway Administration's (FHWA's) regulations (23 CFR 771.111(d)). Even though your agency may already be involved with this project as an Advisory Committee or Interdisciplinary Team Member, your response in writing to this request is appreciated.

Skillings-Connolly, Inc., project consultant, is managing the project for the Montana Department of Transportation. The Montana Department of Transportation (MDT) has proposed to improve US 93 for a distance of 56.3 miles from Evaro to Polson at MT-35. The Federal Highway Administration (FHWA), MDT, and the Confederated Salish and Kootenai Tribes (CSKT) prepared a Final Environmental Impact Statement (FEIS) and Section 4(f) Evaluation on June 17, 1996 to describe the proposed project, alternatives, and the social, economic, and environmental impacts. A Record of Decision (ROD) was prepared on August 12, 1996, and modified on February 9, 1998, which selected the existing alignment for improvements. However, this ROD was unique in that FHWA deferred making a decision on lane configurations until agreement was reached on a number of issues including design features and mitigation measures.

The parties have since negotiated a Memorandum of Agreement (MOA) dated December 20, 2000. The MOA lays out a conceptual lane configuration, design features and mitigation measures for 30.8 miles of US-93 from Evaro to Red Horn Road / Dublin Gulch Road intersection near St. Ignatius and for 10.6 miles of US-93 from Spring Creek Road / Baptiste Road intersection near Ronan to the US-93 / MT-35 intersection near Polson.

However, due to extensive environmental and cultural issues, the segment from the vicinity of Red Horn Road on the south to Spring Creek Road on the north was excepted out of the MOA. This segment, referred to as the Ninepipe/Ronan Segment, requires additional environmental studies. The parties agreed to prepare a Supplemental Environmental Impact Statement (SEIS) to explore alternative roadway alignments and to evaluate impacts resulting from new circumstances and additional information relevant to environmental and cultural concerns for this 11.2-mile section of US-93.

This project will likely impact lands owned or managed by MFWP including those protected by Section 4(f) of the 1966 Department of Transportation Act (49 U.S.C. 303) such as:

- A. Parks and/or Recreation Areas;
- B. Wildlife/Waterfowl Refuges;
- C. Sites included in or eligible for inclusion in the National Register of Historic Places under Section 106 of the National Historic Preservation Act (16 U.S.C. 470); and/or
- D. Lands managed as multiple use which include recreation sites, or wildlife/waterfowl refuges as listed previously.

A written response to this Cooperating Agency request is needed for the environmental documentation for this project. Statements on these matters may result, if necessary, in further inter-agency coordination to avoid or minimize potential project impacts. As a Cooperating Agency, MFWP will receive periodic updates on the progress of the study, as well as requests for your participation in additional coordination meetings. MDT will also provide a copy of the draft environmental document to you for your review.

Please contact me at Skillings-Connolly, Inc. at (406) 541-7877 if you have any questions about this request. If no reply is received within forty-five (45) calendar days – or by May 1, 2003 – it will be assumed that the MFWP has no concerns about the proposed project and does not wish to be a Cooperating Agency. Thank you for your assistance.

Sincerely,

SKILLINGS-CONNOLLY, INC.

Gerald Smith, PE
Project Manager for US 93 SEIS
Enclosure

cc: Loran Frazer, District Administrator – MDT District (No. 1)
Fred Bente, MDT
Jean Riley, MDT Environmental Services Supervisor
Craig Genzlinger, FHWA Operations Engineer - Native American Indian Coordinator
Joe Hovenkotter, CSKT



April 7, 2003

Brent Esmoil, Acting Field Supervisor
US Fish & Wildlife Service
Fish & Wildlife Service MT Field Office
100 N Park Ste 320
Helena, MT 59601

Subject: NH-F 5-1(9)6F
US 93 Supplemental Environmental Impact Statement –
Ninepipe/Ronan Segment
Cooperating Agency Request

Dear Mr. Esmoil:

This letter requests the US Fish & Wildlife Service (USF&WS) to be a Cooperating Agency on the above-referenced road improvement project in accordance with the U.S. Department of Transportation Federal Highway Administration's (FHWA's) regulations (23 CFR 771.111(d)). Even though your agency may already be involved with this project as an Advisory Committee or Interdisciplinary Team Member, your response in writing to this request is appreciated.

Skillings-Connolly, Inc., project consultant, is managing the project for the Montana Department of Transportation. The Montana Department of Transportation (MDT) has proposed to improve US 93 for a distance of 56.3 miles from Evaro to Polson at MT-35. The Federal Highway Administration (FHWA), MDT, and the Confederated Salish and Kootenai Tribes (CSKT) prepared a Final Environmental Impact Statement (FEIS) and Section 4(f) Evaluation on June 17, 1996 to describe the proposed project, alternatives, and the social, economic, and environmental impacts. A Record of Decision (ROD) was prepared on August 12, 1996, and modified on February 9, 1998, which selected the existing alignment for improvements. However, this ROD was unique in that FHWA deferred making a decision on lane configurations until agreement was reached on a number of issues including design features and mitigation measures.

The parties have since negotiated a Memorandum of Agreement (MOA) dated December 20, 2000. The MOA lays out a conceptual lane configuration, design features and mitigation measures for 30.8 miles of US-93 from Evaro to Red Horn Road / Dublin Gulch Road intersection near St. Ignatius and for 10.6 miles of US-93 from Spring Creek Road / Baptiste Road intersection near Ronan to the US-93 / MT-35 intersection near Polson.

However, due to extensive environmental and cultural issues, the segment from the vicinity of Red Horn Road on the south to Spring Creek Road on the north was excepted out of the MOA. This segment, referred to as the Ninepipe/Ronan Segment, requires additional environmental studies. The parties agreed to prepare a Supplemental Environmental Impact Statement (SEIS) to explore alternative roadway alignments and to evaluate impacts resulting from new circumstances and additional information relevant to environmental and cultural concerns for this 11.2-mile section of US-93.

The proposed project may impact USF&WS resources including those protected by Section 4(f) of the 1966 Department of Transportation Act (49 U.S.C. 303), such as the following:

- A. Parks and/or Recreation Areas;
- B. Wildlife/Waterfowl Refuges;
- C. Sites included in or eligible for inclusion in the National Register of Historic Places under Section 106 of the National Historic Preservation Act (16 U.S.C. 470); and/or
- D. Lands managed as multiple use which include recreation sites, or wildlife/waterfowl refuges as listed previously.

A written response to this Cooperating Agency request is needed for the environmental documentation for this project. Statements on these matters may result, if necessary, in further inter-agency coordination to avoid or minimize potential project impacts. As a Cooperating Agency, US Fish & Wildlife Service will receive periodic updates on the progress of the study, as well as requests for your participation in additional coordination meetings. MDT will also provide a copy of the draft environmental document to you for your review.

Please contact me at Skillings-Connolly, Inc. at (406) 541-7877 if you have any questions about this request. If no reply is received within forty-five (45) calendar days – or by May 1, 2003 – it will be assumed that the USF&WS has no concerns about the proposed project and does not wish to be a Cooperating Agency. Thank you for your assistance.

Sincerely,

SKILLINGS-CONNOLLY, INC.

Gerald Smith, PE
Project Manager for US 93 SEIS

Enclosure

cc: Loran Frazer, District Administrator – MDT District (No. 1)
Fred Bente, MDT
Jean Riley, MDT Environmental Services Supervisor

Craig Genzlinger, FHWA Operations Engineer - Native American Indian Coordinator
Dave Wiseman, National Bison Range
Joe Hovenkotter, CSKT

This page intentionally left blank.



April 7, 2003

Mr. Allan Steinle, Montana Program Manager
US Army Corps of Engineers
Helena Regulatory Office
10 W 15th St Ste 2200
Helena, MT 59626

Subject: NH-F 5-1(9)6F
US 93 Supplemental Environmental Impact Statement –
Ninepipe/Ronan Segment
Cooperating Agency Request

Dear Mr. Steinle:

This letter requests the US Army Corps of Engineers (COE) to be a Cooperating Agency on the above-referenced road improvement project in accordance with the U.S. Department of Transportation Federal Highway Administration's (FHWA's) regulations (23 CFR 771.111(d)). Even though your agency may already be involved with this project as an Advisory Committee or Interdisciplinary Team Member, your response in writing to this request is appreciated.

Skillings-Connolly, Inc., project consultant, is managing the project for the Montana Department of Transportation. The Montana Department of Transportation (MDT) has proposed to improve US 93 for a distance of 56.3 miles from Evaro to Polson at MT-35. The Federal Highway Administration (FHWA), MDT, and the Confederated Salish and Kootenai Tribes (CSKT) prepared a Final Environmental Impact Statement (FEIS) and Section 4(f) Evaluation on June 17, 1996 to describe the proposed project, alternatives, and the social, economic, and environmental impacts. A Record of Decision (ROD) was prepared on August 12, 1996, and modified on February 9, 1998, which selected the existing alignment for improvements. However, this ROD was unique in that FHWA deferred making a decision on lane configurations until agreement was reached on a number of issues including design features and mitigation measures.

The parties have since negotiated a Memorandum of Agreement (MOA) dated December 20, 2000. The MOA lays out a conceptual lane configuration, design features and mitigation measures for 30.8 miles of US-93 from Evaro to Red Horn Road / Dublin Gulch Road intersection near St. Ignatius and for 10.6 miles of US-93 from Spring Creek Road / Baptiste Road intersection near Ronan to the US-93 / MT-35 intersection near Polson.

However, due to extensive environmental and cultural issues, the segment from the vicinity of Red Horn Road on the south to Spring Creek Road on the north was excepted out of the MOA. This segment, referred to as the Ninepipe/Ronan Segment, requires additional environmental studies. The parties agreed to prepare a Supplemental Environmental Impact Statement (SEIS) to explore alternative roadway alignments and to evaluate impacts resulting from new circumstances and additional information relevant to environmental and cultural concerns for this 11.2-mile section of US-93.

The U.S. Army Corps of Engineers (COE) has jurisdiction by law over all “waters of the U.S.”, and is requested to be a Cooperating Agency on this proposed project in accordance with the U.S. Department of Transportation Federal Highway Administration's (FHWA's) regulations 23 CFR 771.111(d) and the provisions of Section 404 of the Clean Water Act (33 U.S.C. 1251 - 1376, inclusive).

A written response to this Cooperating Agency request is needed for the environmental documentation for this project. Statements on these matters may result, if necessary, in further inter-agency coordination to avoid or minimize potential project impacts. As a Cooperating Agency, US Army Corps of Engineers will receive periodic updates on the progress of the study, as well as requests for your participation in additional coordination meetings. MDT will also provide a copy of the draft environmental document to you for your review.

Please contact me at Skillings-Connolly, Inc. at (406) 541-7877 if you have any questions about this request. If no reply is received within forty-five (45) calendar days – or by May 1, 2003 – it will be assumed that the COE has no concerns about the proposed project and does not wish to be a Cooperating Agency. Thank you for your assistance.

Sincerely,

SKILLINGS-CONNOLLY, INC.

Gerald Smith, PE
Project Manager for US 93 SEIS

Enclosure

cc: Loran Frazer, District Administrator – MDT District (No. 1)
Fred Bente, MDT
Jean Riley, MDT Environmental Services Supervisor
Craig Genzlinger, FHWA Operations Engineer - Native American Indian Coordinator
Joe Hovenkotter, CSKT



April 7, 2003

John Wardell, Director
US Environmental Protection Agency
Region 8 Montana Operations Office
10 W 15th St Ste 3200
Helena, MT 59626

Subject: NH-F 5-1(9)6F
US 93 Supplemental Environmental Impact Statement –
Ninepipe/Ronan Segment
Cooperating Agency Request

Dear Mr. Dahlberg:

This letter requests the US Environmental Protection Agency (EPA) to be a Cooperating Agency on the above-referenced road improvement project in accordance with the U.S. Department of Transportation Federal Highway Administration's (FHWA's) regulations (23 CFR 771.111(d)). Even though your agency may already be involved with this project as an Advisory Committee or Interdisciplinary Team Member, your response in writing to this request is appreciated.

Skillings-Connolly, Inc., project consultant, is managing the project for the Montana Department of Transportation. The Montana Department of Transportation (MDT) has proposed to improve US 93 for a distance of 56.3 miles from Evaro to Polson at MT-35. The Federal Highway Administration (FHWA), MDT, and the Confederated Salish and Kootenai Tribes (CSKT) prepared a Final Environmental Impact Statement (FEIS) and Section 4(f) Evaluation on June 17, 1996 to describe the proposed project, alternatives, and the social, economic, and environmental impacts. A Record of Decision (ROD) was prepared on August 12, 1996, and modified on February 9, 1998, which selected the existing alignment for improvements. However, this ROD was unique in that FHWA deferred making a decision on lane configurations until agreement was reached on a number of issues including design features and mitigation measures.

The parties have since negotiated a Memorandum of Agreement (MOA) dated December 20, 2000. The MOA lays out a conceptual lane configuration, design features and mitigation measures for 30.8 miles of US-93 from Evaro to Red Horn Road / Dublin Gulch Road intersection near St. Ignatius and for 10.6 miles of US-93 from Spring Creek Road / Baptiste Road intersection near Ronan to the US-93 / MT-35 intersection near Polson.

However, due to extensive environmental and cultural issues, the segment from the vicinity of Red Horn Road on the south to Spring Creek Road on the north was excepted out of the MOA. This segment, referred to as the Ninepipe/Ronan Segment, requires additional environmental studies. The parties agreed to prepare a Supplemental Environmental Impact Statement (SEIS) to explore alternative roadway alignments and to evaluate impacts resulting from new circumstances and additional information relevant to environmental and cultural concerns for this 11.2-mile section of US-93.

A written response to this Cooperating Agency request is needed for the environmental documentation for this project. Statements on these matters may result, if necessary, in further inter-agency coordination to avoid or minimize potential project impacts. As a Cooperating Agency, EPA will receive periodic updates on the progress of the study, as well as requests for your participation in additional coordination meetings. MDT will also provide a copy of the draft environmental document to you for your review.

Please contact me at Skillings-Connolly, Inc. at (406) 541-7877 if you have any questions about this request. If no reply is received within forty-five (45) calendar days – or by May 1, 2003 – it will be assumed that the EPA has no concerns about the proposed project and does not wish to be a Cooperating Agency. Thank you for your assistance.

Sincerely,

SKILLINGS-CONNOLLY, INC.

Gerald Smith, PE
Project Manager for US 93 SEIS

Enclosure

cc: Loran Frazer, District Administrator – MDT District (No. 1)
Fred Bente, MDT
Jean Riley, MDT Environmental Services Supervisor
Craig Genzlinger, FHWA Operations Engineer - Native American Indian Coordinator
Joe Hovenkotter, CSKT



April 7, 2003

Stanley Speaks, Director
Bureau of Indian Affairs
911 NE 11th Ave
Portland, OR 97232

Subject: NH-F 5-1(9)6F
US 93 Supplemental Environmental Impact Statement –
Ninepipe/Ronan Segment
Cooperating Agency Request

Dear Mr. Dahlberg:

This letter requests the Bureau of Indian Affairs (BIA) to be a Cooperating Agency on the above-referenced road improvement project in accordance with the U.S. Department of Transportation Federal Highway Administration's (FHWA's) regulations (23 CFR 771.111(d)). Even though your agency may already be involved with this project as an Advisory Committee or Interdisciplinary Team Member, your response in writing to this request is appreciated.

Skillings-Connolly, Inc., project consultant, is managing the project for the Montana Department of Transportation. The Montana Department of Transportation (MDT) has proposed to improve US 93 for a distance of 56.3 miles from Evaro to Polson at MT-35. The Federal Highway Administration (FHWA), MDT, and the Confederated Salish and Kootenai Tribes (CSKT) prepared a Final Environmental Impact Statement (FEIS) and Section 4(f) Evaluation on June 17, 1996 to describe the proposed project, alternatives, and the social, economic, and environmental impacts. A Record of Decision (ROD) was prepared on August 12, 1996, and modified on February 9, 1998, which selected the existing alignment for improvements. However, this ROD was unique in that FHWA deferred making a decision on lane configurations until agreement was reached on a number of issues including design features and mitigation measures.

The parties have since negotiated a Memorandum of Agreement (MOA) dated December 20, 2000. The MOA lays out a conceptual lane configuration, design features and mitigation measures for 30.8 miles of US-93 from Evaro to Red Horn Road / Dublin Gulch Road intersection near St. Ignatius and for 10.6 miles of US-93 from Spring Creek Road / Baptiste Road intersection near Ronan to the US-93 / MT-35 intersection near Polson.

However, due to extensive environmental and cultural issues, the segment from the vicinity

of Red Horn Road on the south to Spring Creek Road on the north was excepted out of the MOA. This segment, referred to as the Ninepipe/Ronan Segment, requires additional environmental studies. The parties agreed to prepare a Supplemental Environmental Impact Statement (SEIS) to explore alternative roadway alignments and to evaluate impacts resulting from new circumstances and additional information relevant to environmental and cultural concerns for this 11.2-mile section of US-93.

A written response to this Cooperating Agency request is needed for the environmental documentation for this project. Statements on these matters may result, if necessary, in further inter-agency coordination to avoid or minimize potential project impacts. As a Cooperating Agency, BIA will receive periodic updates on the progress of the study, as well as requests for your participation in additional coordination meetings. MDT will also provide a copy of the draft environmental document to you for your review.

Please contact me at Skillings-Connolly, Inc. at (406) 541-7877 if you have any questions about this request. If no reply is received within forty-five (45) calendar days – or by May 1, 2003 – it will be assumed that the BIA has no concerns about the proposed project and does not wish to be a Cooperating Agency. Thank you for your assistance.

Sincerely,

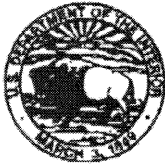
SKILLINGS-CONNOLLY, INC.

Gerald Smith, PE
Project Manager for US 93 SEIS

Enclosure

cc: Loran Frazer, District Administrator – MDT District (No. 1)
Fred Bente, MDT
Jean Riley, MDT Environmental Services Supervisor
Craig Genzlinger, FHWA Operations Engineer - Native American Indian Coordinator
Joe Hovenkotter, CSKT

01001 10 101



United States Department of the Interior

FISH AND WILDLIFE SERVICE

MONTANA FIELD OFFICE
100 N. PARK, SUITE 320
HELENA, MONTANA 59601
PHONE (406) 449-5225, FAX (406) 449-5339

RECEIVED

SEP 02 2003

Skillings-Connolly, Inc.
Consulting Engineers

M.17 FHWA - Ninepipe SEIS (Hwy. 93)

August 28, 2003

Gerald Smith
Skillings - Connolly, Inc.
2685 Palmer
Suite C
Missoula, Montana 59808

Dear Mr. Smith:

This responds to your letter dated April 7, 2003, regarding the Supplemental Environmental Impact Statement to be prepared for the Montana Department of Transportation and the Federal Highway Administration relative to the Ninepipe - Ronan segment (NH-F 5-1(9)6F) of the proposed reconstruction of U.S. Highway 93 between Evaro and Polson in Lake County, Montana. Your letter requested that the U.S. Fish and Wildlife Service (Service) be a Cooperating Agency with regards to this project.

The Service agrees to be a Cooperating Agency for this project. As such, the Service will review and respond to documents required for compliance with the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.), the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.), and other applicable laws. The Service has been involved with this project and has provided comments during meetings, discussions, and correspondence with the involved agencies and consultants.

We look forward to continuing to work with you on this project. If you have questions regarding this letter, please contact Mr. Scott Jackson, of my staff, at (406) 449-5225, extension 201.

Sincerely,

R. Mark Wilson
Field Supervisor

Post-it® Fax Note 7671		Date 9/2	# of pages 1
To: Chad Dickson		From: Kerry	
Co./Dept.		Co.	
Phone #		Phone #	
Fax #		Fax #	

This page intentionally left blank.



U.S. ARMY CORPS OF ENGINEERS
HELENA REGULATORY OFFICE
10 WEST 15TH STREET, SUITE 2200
HELENA, MONTANA 59626

RECEIVED

JUN 12 2003

Stollings-Connolly, Inc.
Consulting Engineers

June 9, 2003

REPLY TO
ATTENTION OF:

Helena Regulatory Office
Phone (406) 441-1375
Fax (406) 441-1380

01001 10 101

Subject: Corps File Number 2001-90-416
US 93 Supplemental Environmental Impact Statement: Ninepipe/Ronan Segment
NH-F 5-1(9)6F, MDT Control Number 1744
Cooperating Agency Response

Mr. Gerald Smith, P.E.
Senior Project Engineer
Stollings-Connolly, Inc.
2685 Palmer Street, Suite C
Missoula, Montana 59808

Post-it® Fax Note	7671	Date	6/13/03	# of pages	1
To	Thad Dickson	From	Gerry Smith		
Co./Dept.		Co.			
Phone #		Phone #			
Fax #		Fax #			

Dear Mr. Smith:

This letter is a response to your April 7, 2003 request that the US Army Corps of Engineers (Corps) be a Cooperating Agency for the Montana Department of Transportation (MDT) project listed above. The project is located on US Highway 93 between the communities of Evaro and Polson in Lake County, Montana.

Under the authority of Section 404 of the Clean Water Act, Department of the Army permits are required for the discharge of fill material below the ordinary high water mark of our Nation's rivers, streams, lakes or wetlands.

Pursuant to the National Environmental Policy Act, the Corps agrees to be a Cooperating Agency. Our participation as a Cooperating Agency will be limited to reviewing and commenting on project features that will or may affect Waters of the United States. This will be in addition to our regulatory and permitting responsibilities.

Todd Tillinger of this office is the Corps' project manager for this project. He may be reached by phone at (406) 441-1375 or by e-mail at todd.n.tillinger@usace.army.mil. Please reference Corps File Number 2001-90-416 on all future correspondence and inquiries.

Sincerely,

Allan Steinle
Montana Program Manager

cc: Jean Riley, Montana Department of Transportation Environmental Services, Helena

This page intentionally left blank.

0001 10 100



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8, MONTANA OFFICE
FEDERAL BUILDING, 10 West 15th St, Suite 3200
HELENA, MONTANA 59626

RECEIVED

APR 11 2003

Ref: 8MO

April 10, 2003

Mr. Gerald Smith, P.E.,
Senior Project Engineer
Skillings-Connolly, Inc.,
2685 Palmer, Suite C
Missoula, Montana 59808

Post-It [®] Fax Note	7671	Date	5/22/03	# of pages	2
To	Thad Dickson	From	Gerry Smith		
Co./Dept.		Co.			
Phone #		Phone #			
Fax #		Fax #			

Re: U.S. 93 Supplemental EIS
Ninepipe/Ronan Segment

Dear Mr. Smith:

This is in response to your letter dated April 7, 2003 requesting EPA to be a cooperating agency with the Federal Highway Administration (FHWA) and Montana Dept. of Transportation (MDT) during the preparation of the Supplemental Environmental Impact Statement (SEIS) for the U.S. 93 Ninepipe/Ronan Segment.

The EPA is interested in providing meaningful and early input on environmental issues of concern for this project. We are particularly interested in helping to ensure that proper wetland, and surface and ground water quality, air quality, tribal concerns, and any secondary and cumulative effects considerations are incorporated into the Supplemental EIS. The Agency, however, has resource limitations and other program commitments which may limit the degree and extent of EPA's participation in the EIS preparation process. These resource constraints and other program commitments make it difficult for me to agree to formal full fledged participation as a cooperating agency during the preparation of the EIS (see 40 CFR 1501.6(c)).

EPA will be reviewing and providing comment on the draft and final Supplemental EIS's for this project in accordance with our responsibilities under NEPA and Section 309 of the Clean Air Act. Mr. Steve Potts, EPA Montana NEPA Coordinator, will coordinate and manage EPA's participation in and review of this project. As you know EPA has provided EIS guidance and scoping comments for this project, and EPA staff (Mr. Steve Potts) have participated on the interdisciplinary team and advisory committee for this project. We anticipate that Mr. Potts, will continue to participate in interdisciplinary team and/or advisory committee meetings and field trips as resources, workload, and schedules allow. The EPA will also try to review and comment upon preliminary EIS documents as much as our workload and schedules allow. We encourage you to send us preliminary EIS documents to allow us the opportunity for early review and input.

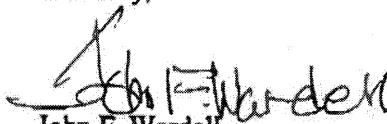


Printed on Recycled Paper

I hope you understand our workload and resource constraints, and our inability to agree to formal cooperating agency status, although we will make every effort to provide input and assist in the EIS preparation process and participate on the interdisciplinary team and advisory committee as much as our resources and workload will allow.

If you have any questions or would like to discuss this matter further please feel free to call me at (406) 457-5001. You may reach Mr. Steve Potts of my staff at (406) 457-5022 in Helena, or at (406)329-3313 in Missoula. Thank you for your consideration.

Sincerely,



John F. Wardell
Director
Montana Office

cc: Cynthia Cody, EPA, 8EPR-N, Denver
Loran Frazier, MDT, Missoula District Administrator
Fred Bente, MDT, Helena
Jean Riley, MDT, Helena
Joe Hovencutter, CSKT
Craig Genzlinger, FHWA, Helena